

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. M-03-277 -RO
)	
RALPH BIRDSHEAD, JR. ,)	
)	
Defendant.)	

**ORDER ON PETITION FOR
REVOCATION OF PROBATION**

This matter came on for hearing October 13, 2005, upon a Petition for Warrant or Summons for Offender Under Supervision. Defendant appeared in person and with June E. Tyhurst, Assistant Federal Public Defender. The plaintiff was represented by Teresa Black, Assistant U.S. Attorney. U.S. Probation Officer Ann W. Alesch was present. The defendant admitted to the allegations in the Petition which charged that defendant violated conditions of supervision by (1) failure to submit monthly reports as required for July, 2005 and August, 2005; (2) failure to participate in a substance abuse program as directed by failing to appear for drug testing on August 20, 2005, and on September 8, 2005; (3) failure to notify the probation officer at least ten days prior to any change in residence or employment, and (4) failure to make monthly restitution payments as directed.

The Court found that the defendant had violated conditions of probation as alleged in the petition and revoked his term of probation. The Court sentenced defendant to eleven months in

custody but ordered no supervised release following his incarceration. Defendant must still pay restitution as ordered previously.

The Court recommends to the Bureau of Prisons that defendant serve his incarceration at the Federal Transfer Center, Oklahoma City, or the Camp at FCI El Reno.

IT IS SO ORDERED.

Dated: October 14, 2005.


BANA ROBERTS
UNITED STATES MAGISTRATE JUDGE

Approved as to form:

s/June E. Tyhurst
JUNE E. TYHURST
Attorney for defendant

s/Teresa Black
TERESA BLACK
Assistant U.S. Attorney